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December 5, 2007

VIA FACSIMILE**Honorable Charles L. Brieant
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601***Application Granted
So Ordered
Dec 11, 2007**Charles L. Brieant
USDT***Re: Sislyn Dyke v. Walmart Stores, Inc., Cott Beverages Inc., et al.
Case No.: 07-03856 (CV)
Our File No.: 12881****Honorable Judge Brieant:**

Please be advised that my law firm, Costello, Shea & Gaffney LLP, is taking over the defense of this matter on behalf of the defendants, Walmart Stores, Inc. and Cott Beverages Inc., from the law office of Cozen, O'Connor. We have just recently received the file from former counsel.

Pursuant to the October 26, 2007 Civil Case Discovery Plan and Scheduling Order, responses to interrogatories were to be served within thirty (30) days from November 9, 2007.

Former counsel for the defendants only provided responses to plaintiff's interrogatories on behalf of defendant, Cott Beverages Inc. Former defense counsel apparently had a conflict in representing Walmart and therefore, responses need to be provided on behalf of Walmart Stores, Inc.

We have forwarded plaintiff's interrogatories to Walmart concerning responses, accordingly.

I have been in contact with plaintiff's counsel who has consented, if acceptable to the court, to allow Walmart to respond to the interrogatories by January 11, 2008.

Furthermore, pursuant to the outstanding Civil Case Discovery Plan and Scheduling Order, we are serving various requests for production of documents on behalf of the defendants prior to December 7, 2007.

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Given the fact that we must obtain plaintiff's medical records, which remain outstanding, to assist in evaluating this lawsuit and to proceed with a meaningful deposition, we are requesting that depositions be completed by March 7, 2008. It should be noted that plaintiff's counsel has consented to the aforementioned as well, if acceptable to the court.

Thank you for your courtesy and consideration. I await hearing from you concerning the above requests.

Respectfully yours,

COSTELLO, SHEA & GAFFNEY LLP

By: Alan T. Blutman
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ATB/js

cc: **VIA FACSIMILE**
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